

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID MILLER,

Plaintiff,

-against-

M. BRADY, et al.,

Defendants.

20 Civ. 3799 (LGS)

ORDER

LORNA G. SCHOFIELD, United States District Judge:

WHEREAS, pro se Plaintiff filed this Complaint on May 14, 2020. ECF 1;

WHEREAS, the Complaint states that Plaintiff resides in New Jersey and alleges that New Jersey police officers violated his constitutional rights. The Complaint does not state where Defendants reside;

WHEREAS, Venue is proper in “(a) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (b) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred . . .; or (c) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court’s personal jurisdiction with respect to such action.” 28 U.S.C. § 1391(b);

WHEREAS, the Complaint does not provide a clear basis for venue to be proper in the United States District Court for the Southern District of New York. Instead, the Complaint suggests that venue is proper in the United States District Court for the District of New Jersey;

WHEREAS, on May 19, 2020, the Court directed Plaintiff to file, by June 3, 2020, a letter that is no greater than two pages, double-spaced, explaining why venue is proper in the Southern District of New York. The letter stated that the case will be transferred to the District

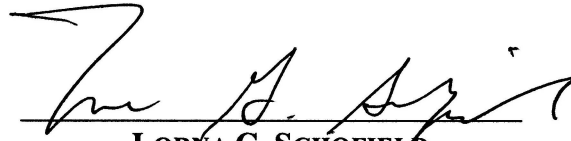
of New Jersey if Plaintiff does not file a response. ECF 4. Plaintiff did not timely file a response to the May 19, 2020, Order;

WHEREAS, on June 9, 2020, the Court issued an Order directing Plaintiff to comply with the May 19, 2020, Order by June 26, 2020. ECF 6. The Order stated that this case will be dismissed or transferred to the District of New Jersey if Plaintiff does not file a response. *Id*;

WHEREAS, Plaintiff failed to timely respond to the June 26, 2020, Order. It is hereby **ORDERED** that, as venue is not proper in the Southern District of New York, this case is transferred to the District of New Jersey.

The Clerk of Court is respectfully directed to mail this order to the pro se Plaintiff. The Clerk of Court is respectfully directed to close this matter.

Dated: June 29, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE